

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)
) CRIMINAL ACTION NO.
v.)
) 2:21cr98-MHT
) (WO)
CAESAR JAY LEAL, JR.)

OPINION AND ORDER

Defendant Caesar Jay Leal, Jr. moved to dismiss the indictment against him pursuant to Federal Rule of Criminal Procedure 12(b) (3) (A) (ii) and the Due Process Clause of the Fifth Amendment. This case is before the court on the recommendation of the United States Magistrate Judge that Leal's motion to dismiss be denied. Neither Leal nor the government filed any objections to the recommendation. Upon an independent and de novo review of the record, including the transcript of the hearing before the magistrate judge, the court concludes that the recommendation should be adopted.

Accordingly, it is ORDERED as follows:

(1) The recommendation of the United States Magistrate Judge (Doc. 59) is adopted.

(2) The motion to dismiss (Doc. 40) is denied.

DONE, this the 5th day of October, 2021.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE